

PATENT APPLICATION

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

<b>In re United States Patent Application of:</b>	)	<b>Docket No.:</b>	<b>4115-137 CIP</b>
<b>Applicant:</b>	)	<b>Examiner:</b>	<b>Carla J. Myers</b>
<b>Application No.:</b>	)	<b>Art Group:</b>	<b>1634</b>
<b>Date Filed:</b>	)	<b>Confirmation No.</b>	<b>9125</b>
<b>Title:</b>	)	<b>Customer No.</b>	<b>23448</b>
<b>Gerardo R. Vasta, et al.</b>	)		
<b>09/771,935</b>	)		
<b>January 30, 2001</b>	)		
<b>ASSAY FOR PERKINSUS IN SHELLFISH</b>	)		

**EXPRESS MAIL CERTIFICATE**

I hereby certify that I am mailing the attached documents to the Commissioner for Patents on the date specified, in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, and Express Mailed under the provisions of 37 CFR 1.10.

L. Stephen Lockett  
L. Stephen Lockett

October 2, 2003  
Date

EV247333474US  
Express Mail Label Number

**TERMINAL DISCLAIMER IN U.S. PATENT APPLICATION NO. 09/675,776**

Commissioner for Patents  
P.O. Box 1450  
Alexandria VA, 22313-1450

Sir:

The disclaimant, UNIVERSITY OF MARYLAND BIOTECHNOLOGY INSTITUTE, 701 E. Pratt Street, Baltimore, Maryland 21202, verifies through its duly authorized representative that it is the owner of all right, title and interest in the above-identified application, by Assignment recorded in the United States Patent and Trademark Office on August 3, 2001 at Reel 012047, Frame 0280.

The disclaimant hereby disclaims the terminal part of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term of United States Patent 6,326,485 issued December 4, 2001 granted on United States Patent Application no. 08/900,117 filed on July 25, 1997 entitled "ASSAY FOR PERKINSUS IN SHELLFISH" which was assigned to the above-identified disclaimant, UNIVERSITY OF MARYLAND BIOTECHNOLOGY INSTITUTE, by an Assignment recorded in the U. S. Patent and Trademark Office on February 23, 1998, at Reel 9143/Frame 0971.

Disclaimant further agrees that any United States patent so granted on the above-identified application no. 09/771,935 which is the subject of this disclaimer, shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to United States Patent 6,326,485, this agreement to run with any patent granted on the above-identified application no. 09/771,935 and to be binding upon the grantee, its successors and assigns.

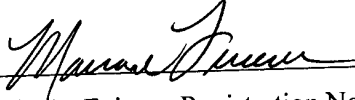
Nothing herein shall be construed as a disclaimer of any terminal part of any patent granted on the above-identified application 09/771,935 which is prior to the expiration of the full statutory term of United States Patent 6,326,485, and any United States Patent hereafter issued on United States Application No. 09/771,935, in the event that United States Patent 6,326,485 later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

Enclosed is a check payable to Commissioner of Patents and Trademarks in the amount of \$55.00 as the fee specified in 37 CFR 1.20 for the filing of this Terminal Disclaimer. The Patent and Trademark Office hereby is authorized to charge Deposit Account No. 08-3284 in the amount of any deficiency for the fee specified in 37 CFR 1.20 for the filing of this Terminal Disclaimer, together with any other properly payable fee or charge which may be required to effect entry of this Terminal Disclaimer and/or the accompanying Amendment.

I, Marianne Fuierer, represent that I am an attorney of record in United States Patent Application No. 09/771,935 and am authorized to execute this disclaimer on behalf of the UNIVERSITY OF MARYLAND BIOTECHNOLOGY INSTITUTE. I further declare that the evidentiary documents of

ownership have been reviewed and I certify that to the best of disclaimant's knowledge and belief, title is in the disclaimant seeking to take action.

I hereby declare that all statements made herein on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

  
Marianne Fuierer, Registration No. 39,983  
Attorney for Applicants and Assignee  
University of Maryland Biotechnology Institute

Date:

10/2/03